

1 McGREGOR W. SCOTT
United States Attorney
2 MATTHEW D. SEGAL
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2708

5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) Case No. CR.S-04-431 GEB JFM
12 Plaintiff,)
13 v.) GOVERNMENT'S MOTION TO
14 SCOTT K. AKERS,) EXTEND TIME TO RESPOND TO
15 Defendant.) MOTION UNDER 28 U.S.C. § 2255
16) AND ORDER

17 On May 27, 2008, the Court gave the government 30 days, to
18 June 26, 2008, to respond to the defendant's motion under 28
19 U.S.C. § 2255. For the reasons stated in the attached
20 declaration of Assistant U.S. Attorney Matthew D. Segal, the

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 government requests an extension of time to file its response.
2 The United States hereby requests an extension of time until
3 August 15, 2008, to file its answer.

4 DATED: July 10, 2008

McGREGOR W. SCOTT
United States Attorney

6
7 By: /s/ Matthew D. Segal
MATTHEW D. SEGAL
Assistant U.S. Attorney

9 **IT IS SO ORDERED.**

10 DATED: July 21, 2008.

11
12 
13 UNITED STATES MAGISTRATE JUDGE

14 /aker0431.eot
15
16
17
18
19
20
21
22
23
24
25
26
27
28

D E C L A R A T I O N

I, MATTHEW D. SEGAL, declare as follows:

1. I am an Assistant U.S. Attorney for the Eastern District of California and am the attorney assigned the case of United States v. SCOTT K. AKERS, CRS04-431 GEB JFM.

2. I was on leave out of the district last week. In preparing to absent myself from the office, I neglected to file a request for an extension until now.

3. I have spoken with Joseph Wiseman, Esq. regarding an extension. Mr. Wiseman has no opposition. This is the first extension requested by the United States.

4. I have been extremely busy with my ordinary duties as well as the multi-district bank fraud investigation that has resulted in the indictment in United States v. Charles Barksdale & Donald Taylor, No. 2:08-CR-263 FCD and my upcoming argument before the 9th Circuit in United States v. Dossman, C.A. No. 07-10274.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 10th day of July, 2008, at Sacramento, California.

/s/ Matthew D. Segal
MATTHEW D. SEGAL